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REMARKS

The Examiner rejected claims 1-57 under 35 USC § 112, first paragraph, as based on a disclosure which is not enabling.

The Examiner argues that the text indicates that components (a), (b) and (c) are critical or essential to the practice of the invention but that the claims indicate that component (c) may be present in an amount from 3-20% which may completely replace component (a).

Claims 1 and 13 have been amended to delete the term "at least" before the phrase "partially", thus indicating that (a) and/or (b) is (are) only partially replace by component (c), thus bringing the claims into alignment with the text at page 3 which indicates that component (a) is the third essential component, which implies that components (a) and (b) must be the first and second essential components, and in further alignment with the Examples of Fuel Composition 2 and Fuel Composition 3 which describe fuels containing components (a) and (b) and (c).

Claim 14 has been amended to correct an error. As originally presented, claim 14 recited that component (b) has a boiling range from about 244 to 300°C. As pointed out by the Examiner, this rendered claim 14 unsupported by the written description and susceptible to rejection under 35 USC § 112, first paragraph.

Claim 14 is amended to recite the boiling point range as 244 to 330°C, conforming with the language at page 2, lines 30-31.

Claim 15 has been amended to include the recitation that the composition of claim 3 which claims a formulation according to claim 1 or 2 and which contains component (a) in an amount in the range from about 5-18% by weight of the total fuel oil composition also contains component (b) in an amount in the range from about 35-

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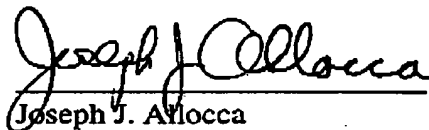
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45% by weight and component (c) in an amount in the range from about 5-15% by weight of the total fuel oil composition.

It is believed this amendment is proper in view of the claims originally presented in the case which, although in improper multiple dependent form, clearly embraced an embodiment wherein all three components were presented in the amounts recited.

It is requested that the Examiner reconsider this case in light of the amendments made to the claims, that she withdraw the rejections, allow the claims and pass the case to issue in due course.

Respectfully submitted,



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☒ Pursuant to 37 CFR 1.34(a)

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